DOCKET NO.: NIHC-6036 **Application No.:** 10/578,405

Office Action Dated: August 14, 2009

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Withdrawn) A biofunctionalized quantum dot, comprising:

a nanocrystalline core exhibiting quantum confinement and having a band gap and a surface;

- a mercaptoalkanoic acid linked to the surface; and
- a biofunctional group linked to the surface,

wherein the biofunctional group comprises a saccharide or the mercaptoalkanoic acid is linked to the surface of the nanocrystalline core without a shell layer.

2. (Withdrawn) The biofunctionalized quantum dot of claim 1,

the mercaptoalkanoic acid having exactly one carboxyl group and comprising less than seven carbon atoms.

- 3. (Withdrawn) The biofunctionalized quantum dot of claim I, the mercaptoalkanoic acid comprising mercaptoacetic acid.
- 4. (Withdrawn) The biofunctionalized quantum dot of claim 1, further comprising: a shell layer overcoating the nanocrystalline core.
- 5. (Withdrawn) The biofunctionalized quantum dot of claim 4, the shell layer comprising cadmium sulfide or mercury sulfide; and the nanocrystalline core comprising cadmium telluride or cadmium selenide or mercury telluride or mercury selenide.
- 6. (Withdrawn) The biofunctionalized quantum dot of claim 1, the saccharide not comprising mannose or dextran.
- (Withdrawn) The biofunctionalized quantum dot of claim 1,
 the saccharide being selected from the group consisting of a tumor-associated antigen

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and Thomsen-Friedenreich disaccharide.

8. (Withdrawn) The biofunctionalized quantum dot of claim 1, the saccharide linked to a sulfur atom; and the sulfur atom linked to the surface of the nanocrystalline core.

9. (Withdrawn) The biofunctionalized quantum dot of claim 1, the saccharide linked to a linking group; the linking group linked to a sulfur atom; and the sulfur atom linked to the surface of the nanocrystalline core.

- 10. (Withdrawn) The biofunctionalized quantum dot of claim 9, the linking group comprising a carbon atom.
- 11. (Withdrawn) The biofunctionalized quantum dot of claim 1, wherein the biofunctionalized quantum dot is stable in aqueous solution under storage in the dark at 4 °C for at least 4 months with respect to luminescence, precipitation, flocculation, and leaching of the biofunctional group.
- 12. (Withdrawn) A formulation comprising the biofunctionalized quantum dot of claim 1 and further comprising a liquid,

wherein the biofunctionalized quantum dot is dissolved or suspended in the liquid and wherein the biofunctionalized quantum dot does not precipitate or flocculate.

- 13. (Withdrawn) The quantum dot of claim 1, wherein the quantum dot comprises a therapeutic agent.
- 14. (Withdrawn) The quantum dot of claim 1, wherein the nanocrystalline core comprises a therapeutic agent or the biofunctionalized quantum dot further comprises a shell layer which comprises a therapeutic agent.

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15. (Withdrawn) A biofunctionalized quantum dot coated device, comprising:

a device adapted for contact with a biological material and having a device surface;

biofunctionalized quantum dots according to claim 1,

wherein the biofunctionalized quantum dots are linked to the device surface to form a coating on the device.

16. (Withdrawn) A cell-quantum dot complex, comprising:

the biofunctionalized quantum dot of claim 1;

and a cell,

wherein the biofunctional group is linked to the cell.

17. (Currently Amended) A method for producing a biofunctionalized quantum dot, comprising the steps of:

providing a biofunctional group-thiol of Formula III and a mercaptoalkanoic acid; and,

refluxing the a biofunctional group-thiol of Formula III

refluxing the a biofunctional group thiol of Formula III

and the <u>a</u> mercaptoalkanoic acid with a cadmium salt, <u>and a hydrogen-alkali-group</u>

VIA element <u>hydrogen-alkali-selenide</u> or <u>hydrogen-alkali-telluride</u>, and a suitable solvent to produce a quantum dot in a solution,

wherein R₁ comprises a carbon atom,

wherein the group VIA element is selected from the group consisting of tellurium and selenium, and

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wherein the biofunctional group comprises a saccharide or the mercaptoalkanoic acid is linked to a surface of a nanocrystalline core of the quantum dot without a shell layer.

- 18. (Currently amended) The method of claim 17, wherein the refluxing uses a the suitable-solvent comprising water or N,N-dimethylformamide.
- 19. (Currently amended) The method of claim 17, further comprising the steps of: reacting a glycoside of Formula I with an alkylthio acid in the presence of a eatalyst to produce a thioester of Formula II;

Acetylated, Benzylidenated Biofunctional Group

I

Acetylated, Benzylidenated Biofunctional Group
$$R_1$$
 R_2

II

debenzylidenating the thioester of Formula II; and hydrolyzing the thioester of Formula II to produce a biofunctional group-thiol of Formula III,

wherein R₁ comprises a carbon atom and R₂ comprises a carbon atom.

- 20. (Cancelled)
- 21. (Cancelled)
- 22. (Previously Presented) A method according to claim 17, further comprising the steps of: reacting a glycoside of Formula IV with an alkylthio acid in the presence of 2,2'-azobisisobutyronitrile in 1,4-dioxane at about 75 °C to produce a thioester of Formula V;

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IV

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debenzylidinating the thioester of Formula V;

hydrolyzing the debenzylidinated thioester of Formula V to produce a Thomsen-Friedenreich-thiol of Formula VI; and

VΙ

refluxing the Thomsen-Friedenreich-thiol of Formula VI with cadmium perchlorate.

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mercaptoacetic acid, hydrogen sodium telluride, and a suitable solvent, selected from the group consisting of water and N,N-dimethylformamide, to produce a Thomsen-Friedenreichfunctionalized quantum dot in a solution.

23. (Withdrawn) A method of imaging, comprising the steps of:

providing a biofunctionalized quantum dot according to claim 1; contacting the biofunctionalized quantum dot with a biological material;

exposing the biological material to light having a wavelength effective to cause the quantum dot to fluoresce; and imaging the fluorescing quantum dots.

- 24. (Withdrawn) The method of claim 23, further comprising the step of using the imaging to identify tissue to which the biofunctional group exhibits high affinity as tissue in a diseased or abnormal state.
- 25. (Withdrawn) The method of claim 24, the diseased or abnormal state being cancerous.
- 26. (Withdrawn) A method of medical imaging, comprising the steps of:

providing two types of biofunctionalized quantum dots according to claim 1, each type having a characteristic wavelength distinct from the other types;

each type of quantum dot functionalized with a different antigen or a different set of antigens;

contacting the two types of biofunctionalized quantum dots with a biological material; exposing the biological material to light having a wavelength effective to cause the quantum dots to fluoresce; and

imaging the fluorescing quantum dots.

27. (Withdrawn) A method of therapy, comprising the steps of: providing a biofunctionalized quantum dot according to claim 1; and contacting the biofunctionalized quantum dot with a biological material and thereby treating a disease. DOCKET NO.: NIHC-6036 PATENT Application No.: 10/578,405

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28. (Withdrawn) The method of claim 27, further comprising exposing the biological material to light having a wavelength effective to cause the quantum dot to fluoresce; and

imaging the fluorescing quantum dot.

29. (Withdrawn) The method of claim 27, wherein the biofunctional group is selected from an immune-response stimulating group, a tumor-associated antigen, a Thomsen-Friedenreich disaccharide, and any combination of these.